IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL REVISION No. 873 of 2001

RAMNATHI DEVI
V/S
RAM SAHAI

Mr. JAI KISHAN BHAIYA, for the appellant.

Mr. SL JAIN, for the respondent

Date of Order : 18.1.2005

HON'BLE SHRI N P GUPTA,J.

ORDER

Since the impugned order, within the parameters laid down by the Hon'ble Supreme Court in Shiv Shakti Cooperative Housing Society, Nagpur Vs. Swaraj Developers and others, reported in 2003(6) Scc,659, is an interlocutory order, and is held to be not permissible to be revised under section 115 CPC, as such, this revision petition is dismissed. It will, however, be open to the petitioner to seek whatever other remedies that may be available to the petitioner in view of the aforesaid judgment and the judgment in Surya Dev Rai Vs. Ram Chandra Rai and ors., reported in 2003(6) SCC,675, of Hon'ble Supreme Court. The interim order, if any obviously stands vacated and the learned trial court is directed to expeditiously proceed with the trial of the main suit and decide the suit most expeditiously.

(N P GUPTA),J.

/Srawat/